

IN RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE - NE/S Intersection of Dogwood and Rolling Roads (Dogwood Station Center) 2nd Election District 2nd Councilmanic District * BEFORE THE * DEPUTY ZONING COMMISSIONER * OF BALTIMORE COUNTY * Case No. 93-390-SPHXA Dogwood Associates Ltd. Part. Petitioner

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as Petitions for Special Hearing, Special Exception and Variance filed by the owner of the subject property, Dogwood Associates Limited Partnership, by John Colvin, a Partner, through Newton A. Williams, Esquire, attorney for the Petitioner. The Petitioner requests a special hearing to approve a modification of the previously approved site plan in Case No. 91-280-A, a special exception to permit a community building for social, recreational, and educational purposes, and a variance from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 472 parking spaces in lieu of the required 557 spaces, as more particularly described on Petitioner's Exhibit 1.

Appearing on behalf of the Petition were John Colvin, a Partner, and Newton A. Williams, Esquire. Also appearing on behalf of the Petition were Vince Moskun, Professional Engineer, and Sidney Oseroff, Irvin Hodges, and Chester Silverman. There were no Protestants.

Testimony indicated that the subject property consists of a gross area of 12.07 acres, zoned B.L. and D.R. 5.5, and is improved with an attractive strip shopping center known as Dogwood Station. Said center was built approximately four years ago with a variety of tenants in mind, including retail stores, restaurants and a bank. The Petitioner requests

a special exception to permit a community building on the premises for use by the Jewish War Veterans. Testimony indicated the Petitioners wish to lease approximately 10,000 sq.ft. of space within the existing center for use by the Jewish War Veterans for social, recreational and educational purposes. Testimony revealed that the Jewish War Veterans currently operate from another location which is substantially run-down and that they are desirous of relocating to the subject site in an effort to upgrade existing facilities and to provide better services to their members and the general public. Testimony indicated that two different posts of the Jewish War Veterans will operate from the subject location. Further testimony indicated that the Jewish War Veterans have Bingo several evenings during the week in order to raise funds for charitable efforts.

As to the relief requested in the special hearing, testimony revealed that the Petitioner wishes to modify the previously approved site plan for the subject property to permit a 2400 sq.ft. restaurant to be located on the northwest side of the site on Rolling Road. Testimony indicated that this area was originally reserved for a bank but that the Petitioner was unsuccessful in leasing the site to a bank. Mr. Colvin testified that with the eventual construction of the new HCFA facility in this vicinity, the subject 2400 sq.ft. area would be better-utilized as a restaurant. Furthermore, the Petitioner wants the flexibility to adjust the location of the 2500 sq.ft. restaurant which was proposed to be located on the east side of the subject site adjacent to a retail store. Testimony indicated that both requests are minor in nature and will not result in any detriment to the surrounding uses. Further testimony indicated that the parking variance is necessitated by the proposed modifications and amendments to the previously approved site plan.

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After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship would result if the relief requested in the special hearing were not granted. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

It is clear that the B.C.Z.R. permits a community center in a B.L. D.R. 5.5 zone by special exception. It is equally clear that the proposed use would not be detrimental to the primary uses in the vicinity. Therefore, it must be determined if the conditions as delineated in Section 502.1 are satisfied.

The Petitioner had the burden of adducing testimony and evidence which would show that the proposed use met the prescribed standards and requirements set forth in Section 502.1 of the B.C.Z.R. The Petitioner has shown that the proposed use would be conducted without real detriment to the neighborhood and would not adversely affect the public interest. The facts and circumstances do not show that the proposed use at the particular location described by Petitioner's Exhibit 1 would have any adverse impact above and beyond that inherently associated with such a special exception use, irrespective of its location within the zone. Schultz v. Pritts, 432 A.2d 1319 (1981).

The proposed use will not be detrimental to the health, safety, or general welfare of the locality, nor tend to create congestion in roads, streets, or alleys therein, nor be inconsistent with the purposes of the property's zoning classification, nor in any other way be inconsistent with the spirit and intent of the B.C.Z.R.

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After reviewing all of the testimony and evidence presented, it appears that the special exception should be granted with certain restrictions as more fully described below.

An area variance may be granted where strict application of the zoning regulations would cause practical difficulty to the Petitioner and his property. McLean v. Soley, 270 Md. 208 (1973). To prove practical difficulty for an area variance, the Petitioner must meet the following:

- 1) whether strict compliance with requirement would unreasonably prevent the use of the property for a permitted purpose or render conformance unnecessarily burdensome;
- 2) whether the grant would do substantial injustice to applicant as well as other property owners in the district or whether a lesser relaxation than that applied for would give substantial relief; and
- 3) whether relief can be granted in such fashion that the spirit of the ordinance will be observed and public safety and welfare secured.

Anderson v. Bd. of Appeals, Town of Chesapeake Beach, 22 Md. App. 28 (1974).

It is clear from the testimony that if the variance is granted, such use, as proposed, will not be contrary to the spirit of the B.C.Z.R. and will not result in any injury to the public good.

After due consideration of the testimony and evidence presented, it is clear that practical difficulty or unreasonable hardship will result if the variance is not granted. It has been established that special circumstances or conditions exist that are peculiar to the land or structure which is the subject of this variance request and that the requirements from which the Petitioner seeks relief will unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the variance requested will not cause any injury to the pub-

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lic health, safety or general welfare. Further, the granting of the Petitioner's request is in strict harmony with the spirit and intent of the B.C.Z.R.

Pursuant to the advertisement, posting of the property, and public hearing on these Petitions held, and for the reasons given above, the special hearing, special exception and variance relief should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 1st day of July, 1993 that the Petitions for Special Hearing to approve a modification of the previously approved site plan in Case No. 91-280-A, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Special Exception to permit a community building for social, recreational, and educational purposes, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED; and,

IT IS FURTHER ORDERED that the Petition for Variance requesting relief from Section 409.6 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit 472 parking spaces in lieu of the required 557 spaces, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject to the following restrictions:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TWK:bjb

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Baltimore County Government
Zoning Commissioner
Office of Planning and Zoning



Suite 113 Courthouse
400 Washington Avenue
Towson, MD 21204

July 1, 1993

(410) 887-4386

Newton A. Williams, Esquire
Nolan, Plumhoff & Williams
210 W. Pennsylvania Avenue, Suite 700
Towson, Maryland 21204

RE: PETITIONS FOR SPECIAL HEARING, SPECIAL EXCEPTION & VARIANCE
NE/S Intersection of Dogwood and Rolling Roads
(Dogwood Station)
3rd Election District - 2nd Councilmanic District
Dogwood Associates Limited Partnership - Petitioner
Case No. 93-390-SPHXA

Dear Mr. Williams:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petitions for Special Hearing, Special Exception and Variance have been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

TIMOTHY M. KOTROCO
Deputy Zoning Commissioner
for Baltimore County

TWK:bjb

cc: Mr. John Colvin
Dogwood Associates, 124 Slade Avenue, Pikesville, Md. 21208

People's Counsel

File

Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Baltimore County Zoning Regulations, to determine whether or not the Zoning Commissioner and/or Deputy Zoning Commissioner should approve:

A modification of the Site Plan incorporated in Case No. 91-280-A, as shown on the attached Site Plan.

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of the above Special Hearing advertising, posting, etc., upon filing of this Petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser/Lessee:

(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:
Newton A. Williams, Esquire
Nolan, Plumhoff & Williams, Chtd.
(Type or Print Name)

Signature

Address

City and State

Towson, Maryland 21204

City and State

Attorney's Telephone No.: 823-7800

Legal Owner(s):

Dogwood Associates Limited Partnership

(Type or Print Name)

Signature

Address

City and State

Dogwood Associates
124 Slade Avenue,
(Type or Print Name) Phone No.

Pikesville, Maryland 21204

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Newton A. Williams

700 Court Towers
210 W. Pennsylvania Avenue, 823-7800
(Type or Print Name) Phone No.

Towson, Maryland 21204

City and State

ESTIMATED LENGTH OF HEARING - 1/2 HR. - 1 HR. - 1 1/2 HR. - 2 HR. - 3 HR. - 4 HR. - 5 HR. - 6 HR. - 7 HR. - 8 HR. - 9 HR. - 10 HR. - 11 HR. - 12 HR. - 13 HR. - 14 HR. - 15 HR. - 16 HR. - 17 HR. - 18 HR. - 19 HR. - 20 HR. - 21 HR. - 22 HR. - 23 HR. - 24 HR. - 25 HR. - 26 HR. - 27 HR. - 28 HR. - 29 HR. - 30 HR. - 31 HR. - 32 HR. - 33 HR. - 34 HR. - 35 HR. - 36 HR. - 37 HR. - 38 HR. - 39 HR. - 40 HR. - 41 HR. - 42 HR. - 43 HR. - 44 HR. - 45 HR. - 46 HR. - 47 HR. - 48 HR. - 49 HR. - 50 HR. - 51 HR. - 52 HR. - 53 HR. - 54 HR. - 55 HR. - 56 HR. - 57 HR. - 58 HR. - 59 HR. - 60 HR. - 61 HR. - 62 HR. - 63 HR. - 64 HR. - 65 HR. - 66 HR. - 67 HR. - 68 HR. - 69 HR. - 70 HR. - 71 HR. - 72 HR. - 73 HR. - 74 HR. - 75 HR. - 76 HR. - 77 HR. - 78 HR. - 79 HR. - 80 HR. - 81 HR. - 82 HR. - 83 HR. - 84 HR. - 85 HR. - 86 HR. - 87 HR. - 88 HR. - 89 HR. - 90 HR. - 91 HR. - 92 HR. - 93 HR. - 94 HR. - 95 HR. - 96 HR. - 97 HR. - 98 HR. - 99 HR. - 100 HR. - 101 HR. - 102 HR. - 103 HR. - 104 HR. - 105 HR. - 106 HR. - 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Petition for Variance

to the Zoning Commissioner of Baltimore County

for the property located at
Dogwood Station Center
North Rolling and Dogwood Roads
which is presently zoned BL

This Petition shall be filed with the Office of Zoning Administration & Development Management.
The undersigned, legal owner(s) of the property situated in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 409.8 to permit 472 parking spaces in lieu of the required 557 spaces.

- of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty)
1. The subject shopping centers needs are greatly altered by the location of the new HCFM Headquarters center corner across Rolling Road, particularly the need for a free standing restaurant.
 2. That the area is heavily residential of high density, and governmental, and many customers will walk, or car pool to the site.
 3. That the addition of a free standing restaurant to the site will better serve the area, and will serve patrons faster (over) (See Attached).
- Property is to be posted and advertised as prescribed by Zoning Regulations.
I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

I, the undersigned, declare and affirm, under the penalties of perjury, that I am the legal owner(s) of the property which is the subject of this Petition.

Legal Owner(s):
Dogwood Associates Limited Partnership

(Type or Print Name)
John Colvin, Partner

Signature
John Colvin, Partner

(Type or Print Name)

Address
City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

City State Zipcode

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4. That the proposed 472 spaces are more than adequate for the Center tenants, present and proposed.
5. That the restaurant uses, the grocery store, the shops, and the proposed meeting hall, all have very different peak hours, and parking needs.
6. That without the requested variance the Petitioner will sustain practical difficulty and reasonable hardship; and the requested variance is in harmony with the spirit and intent of the Regulations, and will actually foster the health, safety and welfare of the Regulations.

DEVELOPMENT
ENGINEERS, INC.

200 East Joppa Road
Room 101, Shell Building
Towson, Maryland 21204
(301) 828-9060
Columbia Office
(301) 730-9060

May 6, 1993

DESCRIPTION FOR PETITION FOR SPECIAL EXCEPTION FOR A COMMUNITY BUILDING

Beginning for the same from the center line intersection of Rolling Road, (70' R/W) and Dogwood Road, (50' R/W, ultimate 60' R/W) the two (2) following courses and distances; 1) northerly 129 feet more or less, 2) easterly 53 feet more or less, thence from the Point of Beginning, N 17° 24' 02" W 119.00', thence N 72° 35' 58" E 44.75', thence S 17° 24' 02" E 8.5', thence N 72° 35' 58" E 36.0', thence N 17° 24' 02" W 4.5', thence N 72° 35' 58" E 44.25', thence N 17° 24' 02" W 0.90', thence N 72° 35' 58" E 150.0', thence S 17° 24' 02" E 27.08', thence N 72° 35' 58" E 20.0', thence S 17° 24' 02" E 76.51', thence S 72° 35' 58" W 169.0', thence S 17° 24' 02" E 3.00', thence S 72° 35' 58" W 105.50', thence S 17° 24' 02" E 8.5', thence S 72° 35' 58" W 19.0' to the Place of Beginning. Containing 0.7 acres of land more or less.



DEVELOPMENT
ENGINEERS, INC.

200 East Joppa Road
Room 101, Shell Building
Towson, Maryland 21204
(301) 828-9060
Columbia Office
(301) 730-9060

May 6, 1993

DESCRIPTION FOR PETITION FOR SPECIAL HEARING TO MODIFY SITE PLAN FOR CASE #91-280A AND VARIANCE FOR PARKING

Beginning for the same from the center line intersection of Rolling Road, (70' R/W) and Dogwood Road, (50' R/W, ultimate 60' R/W) the two (2) following courses and distances; 1) easterly 38 feet more or less, 2) northerly 30 feet more or less thence from Point of Beginning, N 64° 16' 12" W 4.45 feet thence N 22° 05' 30" W 42.06 feet thence with a radius to the right 2829.79 feet and arc length 910.57 feet thence N 03° 39' 18" W 127.10 feet, thence N 87° 02' 31" E 639.64 feet thence S 02° 57' 29" E 427.97 feet thence S 79° 23' 13" W 291.54 feet thence with a radius to the left 622.29 feet an arc length 86.06 feet, thence S 21° 42' 01" E 472.04 feet thence S 76° 28' 17" W 354.97 feet to the Place of Beginning. Containing 11.25 acres of land more or less.



CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District: 2nd Date of Posting: 5/14/93

Posted for: Special Hearing & Exception - Variance

Petitioner: Dogwood Associates Limited Partnership

Location of property: Dogwood Station Center

Location of sign: Intersection of Dogwood Rd. & Rolling Rd.

Remarks: To be posted

Posted by: [Signature]

Date of return: 5/20/93

Number of signs: 2

CERTIFICATE OF PUBLICATION

TOWSON, MD., 5/20, 1993

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 5/20, 1993

THE JEFFERSONIAN,

S. Zeke Orlov

Publisher

Baltimore County
Zoning Administration &
Development Management
211 West Chesapeake Avenue
Towson, Maryland 21204

receipt

93-390-SPHX A

Account: 0-001-6180

399

By [Signature]

Date: 5/6/93

FLING FOR
COMMERCIAL

SPECIAL EXCEPTION
SPECIAL HEARING
VARIANCE. CODE 070 - \$650.00

1 SIGN HEARING TYPE: 3 SIGNS TOTAL - CODE 080 - \$105.00
\$755.00

OWNER: DOGWOOD ASSOCIATES LTD. PARTNERSHIP,
LOCATION DOGWOOD STATION CTR. N. ROLLING AND
DOGWOOD RDS.

63A03W0044MICHC
BA C0021299N05-04-93

\$755.00

Please Make Checks Payable To: Baltimore County

Cashier Validation

Baltimore County Government
Office of Zoning Administration
and Development Management



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- 1) Posting fees will be assessed and paid to this office at the time of filing.
 - 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.
- NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

[Signature]
ARNOLD JARLOW, DIRECTOR

For newspaper advertising:

Item No.: 399

Petitioner: NEWTON A. WILLIAMS, ESQUIRE

Location: NORTH ROLLING AND DOGWOOD ROADS

FROM: QUANTA BUILDING INC.

ADDRESS: 124 SLADE AVENUE

PIKESVILLE, MD. 21208

PHONE NUMBER: 486-1234

AJ:ggg

(Revised 04/09/93)

TO: PUBLISHER PUBLISHING COMPANY 5/20/93 Issue - Jeffersonian

Please forward billing to:

Quanta Builders, Inc.
124 Slade Avenue
Pikesville, Maryland 21208
(410) 486-1234

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-390-SPHX (Item 399)

Dogwood Station Center
NE Intersection of Rolling and Dogwood Roads
2nd Election District - 2nd Councilmanic
Petitioner(s): Dogwood Associates Limited Partnership
HEARING: MONDAY, JUNE 14, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve a modification of the site plan incorporated in case #91-280-A.
Special Exception for a community building for social, recreational and educational purposes.
Variance to permit 472 parking spaces in lieu of the required 557 spaces.

[Signature]
Lawrence E. Schmidt

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY



111 West Chesapeake Avenue
Towson, MD 21204

MAY 14 1993

(410) 887-3353

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-390-SPHKA (Item 399)
Dogwood Station Center
NE Intersection of Balling and Dogwood Roads
2nd Election District - 2nd Councilmanic
Petitioner(s): Dogwood Associates Limited Partnership
HEARING: MONDAY, JUNE 14, 1993 at 11:00 a.m. in Rm. 118, Old Courthouse.

Special Hearing to approve a modification of the site plan incorporated in case #91-280-A.
Special Exception for a community building for social, recreational and educational purposes.
Variance to permit 472 parking spaces in lieu of the required 557 spaces.

Arnold Jablon

Arnold Jablon
Director

cc: Dogwood Associates Limited Partnership
Newton A. Williams, Esq.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.
(2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.



111 West Chesapeake Avenue
Towson, MD 21204

(410) 887-3353

June 4, 1993

Newton A. Williams, Esquire
Nolan, Plumbhoff & Williams
700 Court Towers
210 W. Pennsylvania Avenue
Towson, MD 21204

RE: Case No. 93-390-SPHKA, Item No. 399
Petitioner: Dogwood Associates Limited Partnership
Petition for Special Hearing, Special Exception and Variance

Dear Mr. Williams:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on May 6, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Zoning Plans Advisory Committee Comments
Date: June 4, 1993
Page 2

2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

Very truly yours,

W. Carl Richards Jr.
W. Carl Richards, Jr.
Zoning Coordinator

WCR:hek

Enclosures

BALTIMORE COUNTY, MARYLAND
INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: May 21, 1993
Zoning Administration and Development Management
FROM: Robert W. Bowling, P.E. Senior Engineer
Development Plan Review

RE: Zoning Advisory Committee Meeting
for May 24, 1993
Item No. 399

The Development Plan Review Section has reviewed the subject zoning item. These changes are subject to compliance with the Landscape Manual.

RWB:DAK:s



Maryland Department of Transportation
State Highway Administration

O. James Lighthizer
Secretary
Hal Kassoff
Administrator

Ms. Helene Kehring
Zoning Administration and
Development Management
County Office Building
Room 109
111 W. Chesapeake Avenue
Towson, Maryland 21204

Re: Baltimore County
Item No. 7399 (JL)

Dear Ms. Kehring:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours,

Bob Small
John Contestabile, Chief
Engineering Access Permits
Division

My telephone number is

Teleprinter for Impaired Hearing or Speech
383-7555 Baltimore Metro - 688-0451 D.C. Metro - 1-800-485-5982 Statewide Toll Free
707 North Calvert St., Baltimore, Maryland 21203-0717

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Arnold Jablon, Director
Zoning Administration &
Development Management

FROM: Pat Keller, Deputy Director
Office of Planning and Zoning

DATE: May 27, 1993

SUBJECT: Dogwood Station

INFORMATION:

Item Number: 399

Petitioner: Dogwood Associates Limited Partnership

Property Size:

Zoning: B.L.

Requested Action:

Hearing Date:

SUMMARY OF RECOMMENDATIONS:

Several inspections of the above referenced site revealed that while it is approximately 70% leased and located along a recently improved principal arterial, the center appears under-utilized.

The proposed "Bingo Hall" will occupy a 10,000 sq. ft. area which is currently vacant, and will operate primarily during evening hours. This office supports the requested Special Exception for a community building.

In Case 91-280A, the petitioner was granted permission to have a 2,500 sq. ft. restaurant in a designated area of the shopping center. The petitioner requests the 2,500 sq. ft. restaurant be permitted to be located in any 2,500 sq. ft. space in the shopping center, and that a drive-thru restaurant be allowed in the front parking lot.

This office supports the special hearing to amend Case 91-280A to allow the 2,500 sq. ft. restaurant to locate anywhere in the existing shopping center and recommends that the petitioner be allowed to erect a free-standing 2,400 sq. ft. restaurant with an optional drive-thru.

Staff supports the parking variance due to the fact that many customers will be pedestrians who live in a variety of high density development in the immediate vicinity. In addition, the site is served by public transportation.

Prepared by:

Division Chief:

PK/JL:lw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Zoning Advisory Committee Date: May 14, 1993
Captain Jerry Pfeifer
FROM: Fire Department
SUBJECT: Comments for 05/24/93 Meeting

Item 396 Buildings, roads and systems designed to deliver water for fire protection purposes shall be approved by the Fire Department.
Item 397 Driveway shall be of a width to provide for Fire Department vehicle access.
Item 398 No Comments
Item 399 Space shall comply to the 1991 Life Safety Code and the Baltimore County Fire Prevention Code.
Item 400 Townhouses, for which the initial building permit is applied for after July 1, 1992, are required by State Law to be sprinklered.
Additional fire hydrants are needed on Binnacle Lane, Seabreeze Lane, and the north section of Marina Drive.
Item 401 No Comments
Item 402 Space shall comply to the 1991 Life Safety Code and the Baltimore County Fire Prevention Code.
Item 403 No Comments
Item 404 No Comments

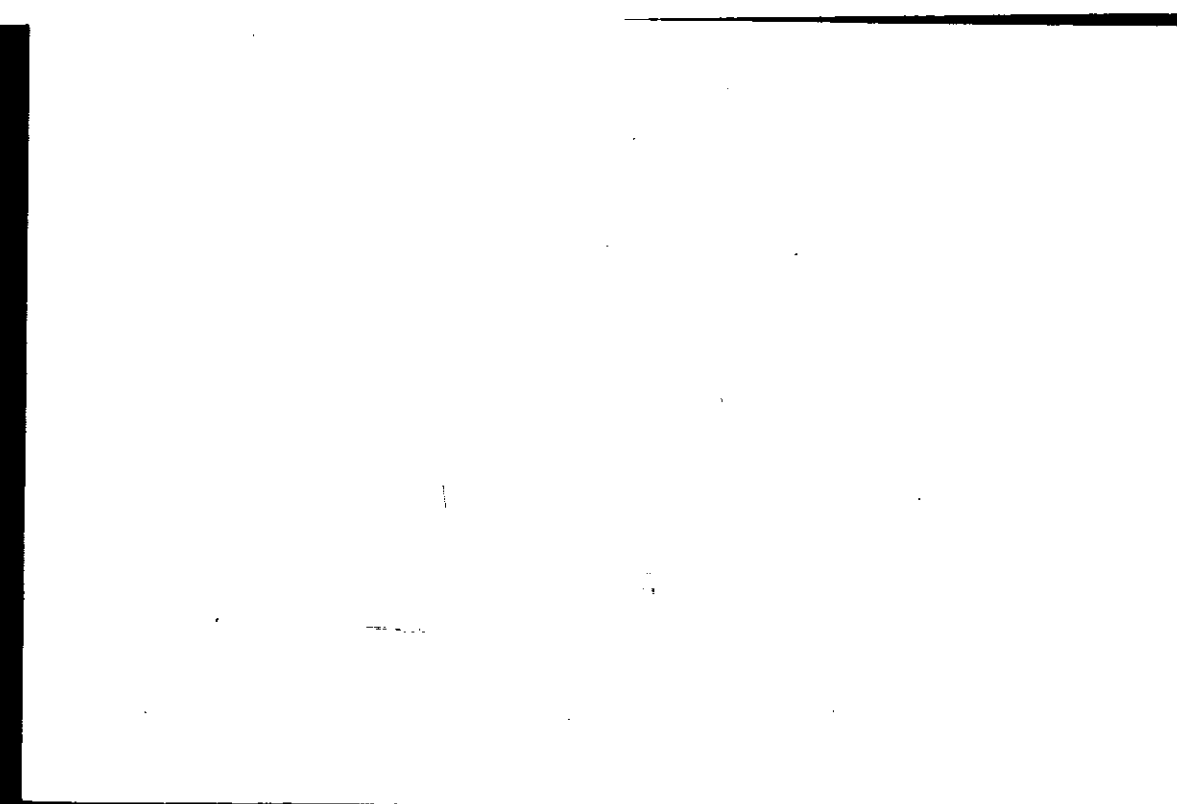
RECEIVED
MAY 17 1993
ZADM



3. Food Store and Grocery at Head of Lake



4. Proposed Pool Site for Restaurant



5. Bus Stop on Killing Road



On The Hill

By Colonel Herb Rosenbleeth, USA(Ret)
National Executive Director

LEGISLATIVE BULLETIN, MAY 1993

"WE ARE ALL ISRAELIS"

In a passionate speech on the House Floor, Rep. James Leach (R-IA) stated: "Terrorism against the United States that is linked to our policies toward another country makes us co-martyrs of that country's traumas...The bombing of the World Trade Center not only victimizes individual Americans, it transforms all Americans. We are all now Israelis."

Citing a letter by the "Liberation Army Fifth Battalion" claiming that the bombing was in retaliation for US support for Israel, Leach continued: "The United States has long enjoyed a special relationship with Israel. That relationship is based on moral obligation to the survivors of the Holocaust, shared democratic values, and common interests."

ARAB BOYCOTT

In a letter to US Trade Representative Mickey Kantor, Sens. Frank Lautenberg (D-NJ), Charles Grassley (R-IA) and Patrick Moynihan (D-NY) requested that "a more comprehensive analysis of the boycott" be included in the National Trade Estimate (NTE) report. The report acknowledges the boycott is a barrier to trade and discusses the Arab League's secondary and tertiary boycott.

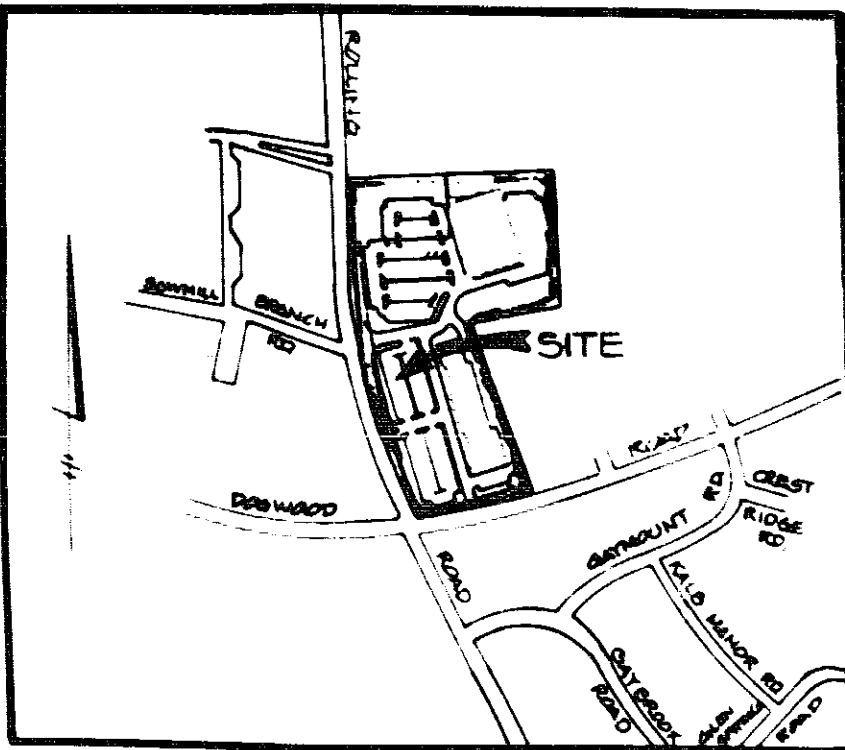
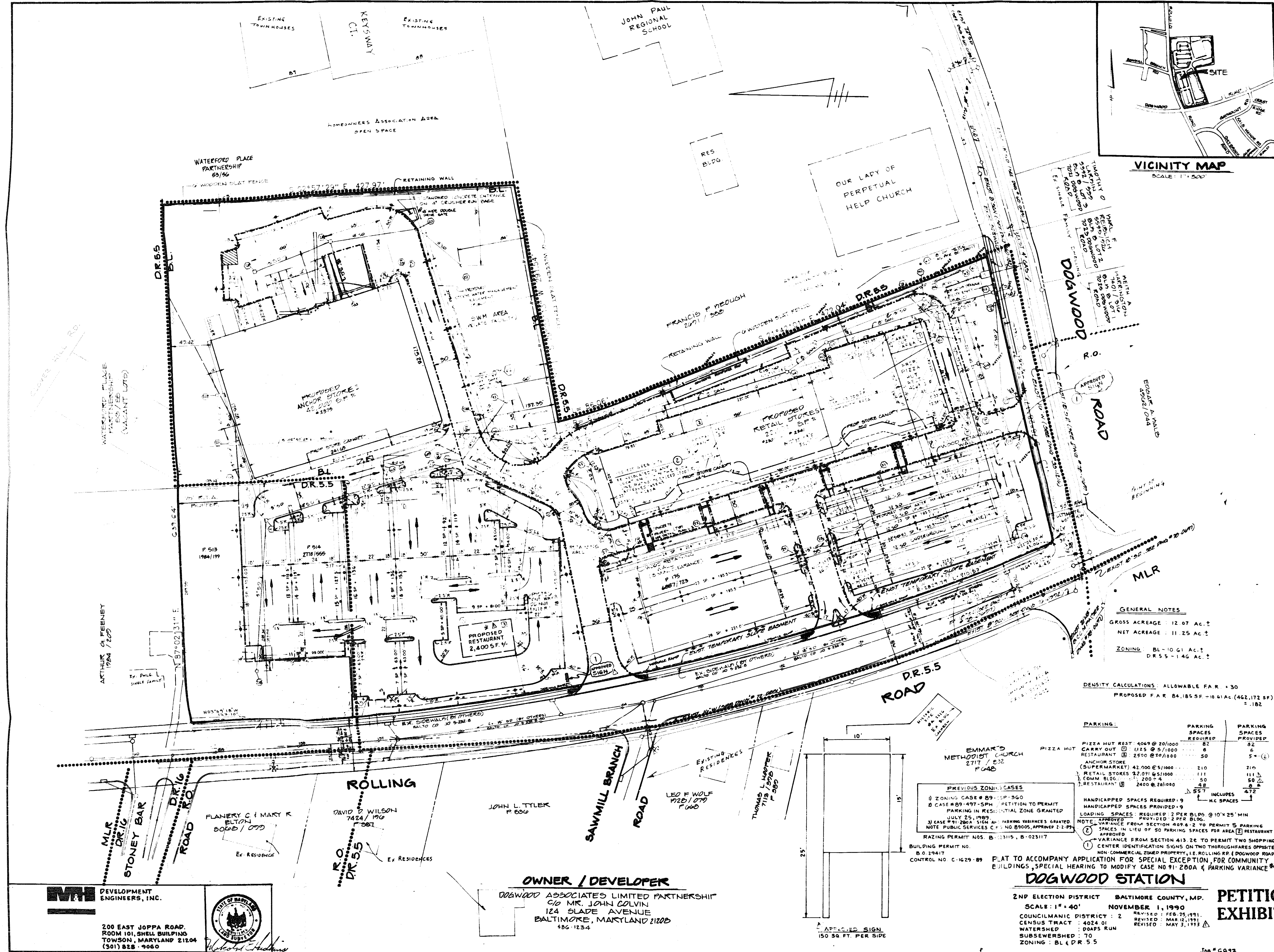
The letter urged Kantor to include in future NTE reports an analysis of how the Arab League and other countries blacklist companies and enforce the boycott. The Senators called for an analysis of losses incurred by US companies as a result of the boycott, and announced they would introduce legislation to implement these measures.

SOMALIA VETERANS

Rep. G.V. "Sonny" Montgomery of Mississippi is seeking wartime veterans' status for GIs who served in Operation Restore Hope in Somalia. Montgomery has asked Army Gen. Colin L. Powell, chairman of the Joint Chiefs of Staff, to award the Armed Forces Expeditionary Medal (AFEM) to US troops who took part in the humanitarian mission.

As wartime veterans, the 31,000 GIs who served in Somalia would be entitled to veterans' preference in certain jobs with the federal government. In addition, the AFEM in a GI's personnel files will expedite VA claims if health problems similar to Vietnam or Desert Storm crop up.

EDITOR'S
LETTER 3



VICINITY MAP
SCALE: 1" = 500'

GENERAL NOTES
GROSS ACREAGE: 12.07 AC.
NET ACREAGE: 11.25 AC.
ZONING: BL-10 G1 AC.
DR 5.5 - 1.4G AC.

DENSITY CALCULATIONS: ALLOWABLE FAR = 30
PROPOSED FAR: 84,185 SF = 10.61 AC (462,172 SF)
= 1.82

PARKING:	PARKING SPACES REQUIRED	PARKING SPACES PROVIDED
PIZZA HUT REST: 4069 @ 20/1000	81	82
CARRY OUT: 1125 @ 5/1000	6	6
RESTAURANT: 2500 @ 20/1000	50	50
ANCHOR STORE (SUPERMARKET): 42,000 @ 5/1000	210	210
RETAIL STORES: 22,071 @ 5/1000	111	111
FOAM BLDG: 100 @ 5	50	50
RESTAURANT: 2400 @ 20/1000	48	48
	557	472
		INCLUDES 85 SPACES

HANDICAPPED SPACES REQUIRED: 9
HANDICAPPED SPACES PROVIDED: 9
LOADING SPACES: REQUIRED: 2 PER BLDG @ 10' X 25' MIN. APPROVED: PROVIDED: 2 PER BLDG.
NOTE: VARIANCE FROM SECTION 409.6.2 TO PERMIT 5 PARKING SPACES IN LIEU OF 50 PARKING SPACES FOR AREA [E] RESTAURANT.
VARIANCE FROM SECTION 413.2C TO PERMIT TWO SHOPPING CENTER IDENTIFICATION SIGNS ON TWO THOROUGHFARES OPPOSITE BUILDINGS, SPECIAL EXCEPTION FOR COMMUNITY BUILDINGS, SPECIAL HEARING TO MODIFY CASE NO 91-280A & PARKING VARIANCE.

PREVIOUS ZONING CASES
1) ZONING CASE # 89-SP-360
2) CASE # 89-497-SPH PETITION TO PERMIT PARKING IN RESIDENTIAL ZONE GRANTED JULY 25, 1989
3) CASE # 91-280A SIGN AND PARKING VARIANCES GRANTED PUBLIC SERVICES CASE NO 89005, APPROVED 2-2-89
RAZING PERMIT NOS. B-123115, B-023117
BUILDING PERMIT NO. B.O. 29417
CONTROL NO. C-1629-89

DOGWOOD STATION

2ND ELECTION DISTRICT BALTIMORE COUNTY, MD.
SCALE: 1" = 40'
NOVEMBER 1, 1990
COUNCILMANIC DISTRICT: 2
CENSUS TRACT: 4024.01
WATERSHED: DOGS RUN
SUBWERSHED: 70
ZONING: BL (DR 5.5)

PETITIONER'S
EXHIBIT 1

DEVELOPMENT ENGINEERS, INC.
200 EAST JOPPA ROAD,
ROOM 101, SHELL BUILDING
TOWSON, MARYLAND 21204
(301) 828-9960

OWNER / DEVELOPER
DOGWOOD ASSOCIATES LIMITED PARTNERSHIP
C/O MR. JOHN COLVIN
124 SLADE AVENUE
BALTIMORE, MARYLAND 21205
186-1234

93-370-SPHX

399